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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------------|------------------|
| 10/802,785 | 03/18/2004 | Cheng-Tsan Hu | MR1111-1244 | 4590 |
| 4586 | 7590 | 07/08/2005 | | |
| ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043 | | | EXAMINER OJINI, EZIAMARA ANTHONY | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3723 | |

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/802,785

Applicant(s)

HU, CHENG-TSAN

Examiner

Anthony Ojini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 and 2 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tseng (5,740,706) in view of Lin (6,151,997).

With respect to claim 1, Tseng discloses a screwdriver heads chamber for a precise screwdriver comprising **a handle (1)**, **a stem (20)** and **a cover (8)**, said handle having a **hollow chamber (30)** to receive said stem and **a plurality of screwdriver heads**, said handle having **two ends**, one end being a driving end while another end being interconnected with said chamber (see fig. 8); and said chamber being a hollow barrel with an inner end and an outer end, **inner thread** (a form of groove (31)) being formed close to said outer end of said chamber, said stem comprising an inner end and an outer end, **a disc** being formed at said inner end of said stem (see fig. 8), said disc having an outer diameter corresponding to an inner diameter of said inner end of said chamber, said stem comprising **a plurality of longitudinal partitions (22)**, said partitions having an outer diameter that is slightly smaller than the inner diameter of said chamber, said cover comprising **a outer thread** (a form of barrel (80)) extending downwardly from one end, said outer thread (a form of barrel) (80) having an outer diameter corresponding to the inner diameter of said chamber, the outer thread (80)

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includes a **ridge** corresponding to the inner thread (a form of groove (31)) of said chamber being formed on said barrel, thus, said disc of said stem being secured into said inner end of said chamber of said handle, said screwdriver heads being accommodated between said partitions and said chamber, said barrel of said cover being inserted into said chamber with said ridge engaging with said groove (see col. 3, lines 5-7), said cover being rotatably connected to said outer end of said chamber of said handle.

Tseng fails to disclose the chamber is **pivotally** connected to said cover.

Tseng also fails to disclose **at least one slot** being formed on said barrel.

Lin discloses a chamber **(15)** that is pivotally connected to a cover **(20)**.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the screwdriver heads chamber of Tseng with chamber and cover wherein the chamber is pivotally connected to the cover in view of Lin so as to allow the end user an access into the chamber.

It would have been an obvious matter of design choice to modify the cover's **outer thread** (a form of barrel) with **at least one slot** being formed on said barrel or shape was desired or expedient. A change in form or shape is generally recognized as being within the level of ordinary skill in the art, absent any showing of unexpected results.

In re Dailey et al., 149 USPQ 47.

With respect to claim 2, Tseng fails to disclose wherein said disc of said stem is in a reversed cone shape.

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It would have been an obvious matter of design choice to modify the disc of Tseng in a reversed cone shape. A change in form or shape is generally recognized as being within the level of ordinary skill in the art, absent any showing of unexpected results.

In re Dailey et al., 149 USPQ 47.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Robertson, Corona et al., Wetty, and Lin (6,305,815) disclose tool handle with concealed storage respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ojini whose telephone number is 571 272 4492. The examiner can normally be reached on 7 to 4 Tuesday-Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272 4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "AOJmi", located in the lower right quadrant of the page.

AO
7/5/05